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**FAX TRANSMISSION****DATE:** December 22, 2004**PTO IDENTIFIER:** Application Number 09/817691-Conf. #6886  
Patent Number**Inventor:** Mark J. KOCH**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (703) 872-9306**FROM:** LAHIVE & COCKFIELD, LLP

John S. Curran

**PHONE:** (617) 227-7400**Attorney Dkt. #:** SMQ-028/P4921**PAGES (Including Cover Sheet):** 19**CONTENTS:** Amendment (15 pages)  
Amendment Transmittal plus duplicate (2 pages)  
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PTO/SB/87 (08-04)

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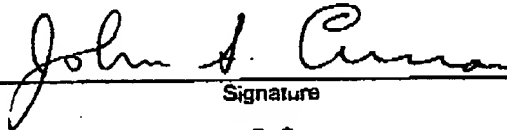
Application No. (if known) 09/817631

Attorney Docket No. SMQ-028/P4921

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Amendment (15 pages)

Amendment Transmittal plus duplicate (2 pages)

<b>AMENDMENT TRANSMITTAL LETTER</b>				Docket No. SMQ-028/P4921	
Application No. 09/817631-Conf. #6886		Filing Date March 26, 2001		Examiner M. Dinh	
Art Unit 2132					
Applicant(s): Mark J KOCH					
Invention: SYSTEM AND METHOD FOR STORING AND ACCESSING DIGITAL MEDIA CONTENT USING SMART CARD TECHNOLOGY					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	29	- 29 =		x	
Independent Claims	7	- 7 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					
<input checked="" type="checkbox"/> Large Entity <span style="margin-left: 200px;"><input type="checkbox"/> Small Entity</span>					
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<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
<u>John S. Curran</u> John S. Curran Attorney Reg. No.: 50,445				Dated: <u>December 22, 2004</u>	
LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400					
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below Dated: December 22, 2004      Signature: <u>John S. Curran</u> (John S. Curran)					

<b>AMENDMENT TRANSMITTAL LETTER</b>				Docket No. SMQ-028/P4921	
Application No. 09/817631-Conf. #8886	Filing Date March 26, 2001	Examiner M. Dinh	Art Unit 2132		
Applicant(s): Mark J. KOCH					
Invention: SYSTEM AND METHOD FOR STORING AND ACCESSING DIGITAL MEDIA CONTENT USING SMART CARD TECHNOLOGY					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	29	- 29 =		x	
Independent Claims	7	- 7 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
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<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					
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John S. Curran Attorney Reg. No.: 50,445  LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400				Dated: <u>December 22, 2004</u>	
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Dated: December 22, 2004		Signature: <u>John S. Curran</u> (John S. Curran)			

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Dated: December 22, 2004 Signature

(John S. Curran)

Docket No.: SMQ-028  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Mark J. Koch

Application No.: 09/817631

Art Unit: 2132

Filed: March 26, 2001

Examiner: M. Dinh

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DEC 22 2004

For: **SYSTEM AND METHOD FOR STORING  
AND ACCESSING DIGITAL MEDIA  
CONTENT USING SMART CARD  
TECHNOLOGY**

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated September 22, 2004, please amend the above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.